

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Criminal No. 20-203 (PAM/KMM)

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United States of America,

Plaintiff,

v.

**MOTION FOR EARLY  
DISCLOSURE OF  
JENCKS ACT MATERIAL**

Francisco Manuel Rodriguez Valenzuela,

Defendant.

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Defendant Francisco Manuel Rodriguez Valenzuela, by and through his attorney, Steven J. Wright, moves this Court under Federal Rule of Criminal Procedure 12 for an order requiring the government to submit Jencks Act materials to Defendant at least two weeks prior to the commencement of the trial. In support of this motion, Defendant notes the following:

1. The Jencks Act, 18 U.S.C. § 3500, was enacted in 1959, and its effect has been modified by the enactment of Federal Rules of Evidence 102 and 403, and by the Speedy Trial Act, codified in 18 U.S.C. §§ 3161, *et seq.*

2. Although a literal reading of the Jencks Act would not require release of the pertinent materials until the testimony of any particular government witness is complete, the Act does not forbid its early disclosure where interests of fairness and efficiency call for it.

3. Prior to cross-examination of any such witness, a recess would be required to allow defense counsel to review these materials.

4. Unless this motion is granted, there will be delays in this trial.

5. This Court has the authority to order early disclosure of the Jencks Act materials to further the interests of fairness and prompt disposition of the business of the Court.

Defendant therefore respectfully asks the Court to enter an order requiring the government to submit Jencks Act materials to defense counsel at least two weeks prior to the testimony of each government witness.

Respectfully submitted,

Dated: October 11, 2020

/s/ Steven J. Wright  
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Attorney for Defendant